



Docket No.: 043888-0267

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
Tsutomu OHZUKU, et al. : Confirmation Number: 9492
Application No.: 10/629,815 : Group Art Unit: 1745
Filed: July 30, 2003 : Examiner: not yet assigned

For: POSITIVE ELECTRODE ACTIVE MATERIAL AND NON-AQUEOUS ELECTROLYTE
SECONDARY BATTERY CONTAINING THE SAME

INFORMATION DISCLOSURE STATEMENT

Mail Stop IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

It is noted that the Applicants wish to bring to the attention of the U.S. Patent and Trademark Office that the Information Disclosure Statement and its form PTO 1449, which was previously submitted on July 18, 2005 had typographical error on the PTO 1449 form. Accordingly, please substitute the attached corrected PTO 1449 form for the PTO 1449 form that was filed on July 18, 2005. A copy of the PTO 1449 form filed on July 18, 2005, in which the changes to the new PTO-1449 form are highlighted, is attached.

Please charge any shortage in fees due in connection with the filing of this paper,
including extension of time fees, to Deposit Account 500417 and please credit any excess fees to
such deposit account.

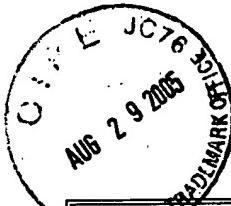
Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty
Registration No. 36,139

**Please recognize our Customer No. 20277
as our correspondence address.**

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF:jgh
Facsimile: 202.756.8087
Date: August 29, 2005



SHEET 1 OF 1

**INFORMATION DISCLOSURE
CITATION IN AN APPLICATION**

(PTO-1449)

ATTY. DOCKET NO.
043888-0267SERIAL NO.
10/629,815APPLICANT
Tsutomu OHZUKU, et al.FILING DATE
July 30, 2003GROUP
1745**U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ₂ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	US	5,160,712	11/03/1992	Thackeray et al.	

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes-Number 4- Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation Yes No
		JP 10-310433	11/24/1998	ISE KAGAKU KOGYO KK		JAPAN (w/ English Abstract)
		JP 05-242891	09/21/1993	SANYO ELECTRIC CO LTD	Corresponds to JP 3244314	English Abstract Only
		JP 06-072708	03/15/1994	TECHNOL FINANCE CORP PTY LTD	Counterpart of USP 5,160,712	JAPAN (w/ English Abstract)
		JP 2547992	10/30/1996	-----	Corresponds to JP 63-121258 English abstract	English Abstract

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

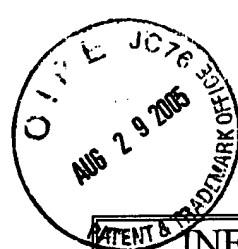
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
		Ohzuku, T. et al., "Electrochemistry and Structural Chemistry of LiNiO ₂ (R3m) for 4 Volt Secondary Lithium Cells" J. Electrochem. Soc., July 1993, Vol. 140, No. 7 pp. 1862-1870.	
		Spahr, M. et al. "Characterization of Layered Lithium Nickel Manganese Oxides Synthesized by a Novel Oxidative Coprecipitation Method and Their Electrochemical Performance as Lithium Insertion Electrode Materials" J. Electrochem. Soc., April 1998, Vol. 145, No. 4, pp. 1113-1120.	
		Kanno, R. et al., "Structure and Physical Properties in Cathode Materials for Lithium Secondary cells -Lithium Nickel Oxides and Lithium Manganese Oxides" Department of Chemistry, Faculty of Science, Kobe University, announced on December 7, 1998, pp. 85-95.(Partial translation attached)	
		Arai, H. et al., "Electrochemical and Thermal Behavior of LiNi _{1-x} M _x O ₂ (M = Co, Mn, Ti)" J. Electrochem. Soc., September 1997, Vol 144, No. 9, pp. 3117-3125.	
		B.J. Neudecker et al., "Lithium Manganese Nickel Oxides Li _x (Mn _y Ni _{1-y}) _{2-x} O ₂ ", J. Electrochem. Soc., Vol. 145, No. 12, December 1998, pp4148-4159	
		E. Rossen et al., "Structure and electrochemistry of Li _x Mn _y Ni _{1-y} O ₂ ", Solid State Ionics 57(1992) pp311-318	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.



SHEET 1 OF 1

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)				ATTY. DOCKET NO. 043888-0267	SERIAL NO. 10/629,815	
				APPLICANT Tsutomu OHZUKU, et al.		
				FILING DATE July 30, 2003	GROUP 1745	
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		JP 2547992	10/30/1996	-----	Corresponds to JP 63-121258	<i>English Abstract</i>
OTHER ART (Including Author, Title, Date, Peripheries, Etc.)						
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
		Ohzuku, T. et al., "Electrochemistry and Structural Chemistry of LiNiO₂ (R3m) for 4 Volt Secondary Lithium Cells" J. Electrochem. Soc., July 1993, Vol. 140, No. 7 pp. 1862-1870.				
		Spahr, M. et al. "Characterization of Layered Lithium Nickel Manganese Oxides Synthesized by a Novel Oxidative Coprecipitation Method and Their Electrochemical Performance as Lithium Insertion Electrode Materials" J. Electrochem. Soc., April 1998, Vol. 145, No. 4, pp. 1113-1120.				
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		B.J. Neudecker et al., "Lithium Manganese Nickel Oxides Li_x(Mn_y Ni_{1-y})_{2-x}O₂", J. Electrochem. Soc., Vol. 145, No. 12, December 1998, pp4148-4159				
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